

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

HONEYWELL INTERNATIONAL INC.,

Case No. 12-cv-00299 SRN/JSM

Plaintiff,

**ORDER STAYING THE ACTION
PENDING REEXAMINATION**

vs.

NEST LABS, INC., BEST BUY CO., INC.,
BEST BUY STORES, L.P., and
BESTBUY.COM, LLC

Defendants.

The above-entitled matter comes before the undersigned United States District Judge on Plaintiff Honeywell International Inc. and Defendants Nest Labs, Inc.; Best Buy Co., Inc.; Best Buy Stores, L.P.; and BESTBUY.COM, LLC Joint Motion (“Motion”) to Stay the Action Pending Reexamination of the patents-in-suit by the United States Patent And Trademark Office. Defendant Nest has requested that the USPTO reexamine each of the seven patents-in-suit. To date the USPTO has agreed to reexamine five of the seven patents at issue in this case. The other two patents are still awaiting decision by the USPTO. In light of the fact that at least a majority of the patents-in-suit will be subject to reexamination, the parties have jointly moved the Court for an Ordering staying the case pending the results of the reexamination proceedings.

Having reviewed the Motion, and being advised as to all pertinent matters, the Court agrees that a stay is appropriate in light of the pending USPTO reexamination proceedings. Accordingly, IT IS HEREBY ORDERED that:

1. The action is STAYED, and all dates in the scheduling order (Doc. No. 24) are hereby suspended;

2. Any party, or the parties jointly, may move to lift or modify this stay at any time upon showing of good cause.

3. The Court will conduct a status conference approximately six months from the date of this Order so that the parties may update the Court on the status of the reexamination proceedings.

IT IS SO ORDERED:

Date: September 24, 2012

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge